

1-4 and 15-19 are withdrawn from consideration. Applicants reserve the right to file a divisional application to any of the non-elected claims.

Claims 10-14 have been rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Kumamoto et al., EP 1,138,701 A1 (“Kumamoto”).

The present invention is directed to “a process for producing a catalyst for α -olefin polymerization comprising the step of contacting (1) a solid catalyst component having Ti, Mg and a halogen as essential components, (2) an organoaluminum compound, (3) a compound having a -C-O-C-O-C- bond group and (4) a 1,3-diether compound with one another” (emphasis added). In Applicants’ claimed process, (3) the compound having a -C-O-C-O-C- bond group and (4) the 1,3-diether compound are contacted with (1) a solid catalyst component and (2) an organoaluminum compound.

Kumamoto discloses a process for preparing a catalyst for ethylene polymerization, the process comprising the contact of: (i) a solid catalyst component containing at least titanium, magnesium and halogen atoms; (ii) an organoaluminum compound; and (iii) a heterocyclic compound (Abstract). In Kumamoto, only (iii) the heterocyclic compound is in contact with (i) a solid catalyst component and (ii) an organoaluminum compound. Therefore, unlike Applicants’ claimed process, the process for producing the catalyst for ethylene polymerization in Kumamoto does not comprise a step which comprises contacting a heterocyclic compound and a 1,3-diether compound with a solid catalyst component and an organoaluminum compound.

Additionally, in the present invention, “(3) a compound having a -C-O-C-O-C- bond group and (4) a 1,3-diether compound...” are “outer donors” (external donors) (emphasis added).

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Response under 37 C.F.R. § 1.111

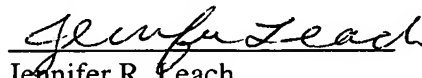
An electron donor compound contained in a solid catalyst component is referred to as an "inner donor" (internal donor). Therefore, in Kumamoto, the 1,3-diether compound in the solid catalyst is an "inner donor" not an "outer donor" as in the presently claimed invention (page 5, line 39 to page 11, line 13).

In view of the foregoing, Applicants submit that the present invention would not be anticipated by Kumamoto. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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